This Issue of the A. F. of L. Weekly News Service Consists of 2 Pages

The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor occurring in the industrial, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

The actual final rights of man lie in the far depths of the ideal. Every noble work is at first impossible.—Carlyle.

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WHOLE NO. 1399 WILLIAM GREEN, President WASHINGTON, D. C., SATURDAY, FEBRUARY 5, 1938 FRANK MORRISON, Secretary-Treasurer VOL. 28, NO. 6

Full Support For "Proper" Profit System Is Pledged By A. F. of L.

Main Essential For Its Preservation Is Nation-Wide Ban on Products of Sweat-Shop and Child Labor Employers and Nation-Wide Purchase of Union-Made Goods and Services to Provide Balanced Buying Market, President Green Declares; Prosperity For Capital and Labor Will Be Achieved When the Public Refuses to Buy or Use Goods Manufactured by Low-Wage Employers.

National Exhibition of American Federation of Labor Union-Made Products to Be Opened in Cincinnati May 16 Under Sponsorship of Union Label Trades Department; "We Propose to Leave No Stone Unturned in Delivering the Union Market to the Worthy American Manufacturers Who Employ Members of Unions Affiliated With the American Federation of Labor."

By A. F. of L. News Service.

Washington, D. C.—A strong defense of the American profit system with the abnormality of low wages completely eliminated was made here by William Green, president of the American Federation of Labor, in a statement charging that the present business depression is directly attributable to the low buying power imposed on many large groups of American labor by employers who seek to grab profits by paying low wages and announcing the opening at Cincinnati, Ohio, on May 16, of a national exhibition of products made and services rendered by American Federation of Labor unions.

Sponsored by the A. F. of L. Union Label Trades Department, and endorsed by the A. F. of L. Executive Council, the exhibition will start a nation-wide educational campaign to carry to the public the message that business recessions in the United States are largely caused by the inability of workers paid low wages to purchase the products of workers paid high wages and that this anarchistic condition can be corrected "when the public realizes fully the penalty inflicted by purchasing sweatshop, child labor and penal-institution produced goods and when they refuse to buy or use such blood-produced products."

"The American Federation of Labor believes in American institutions and in the American type of industry," Mr. Green said. "We believe in giving every encouragement toward the maintenance of a proper profit system, and toward the maintenance of mutual, contractual respect between Capital and Labor."

Foreign "Isms" Are Not Necessary

"We believe that our recent depression and, more lately our recession, does not prove that the American system has failed or that we should import from any one of the several 'ism-autocracies' of Europe, methods that a mere handful of agitators have tried to tell us would improve our system. Every 'ism' of present day Europe has been tried and has been proved false at various times down through the ages.

"The American system has proved in our laboratory of governmental experience, covering one hundred and fifty years, its ability to deliver and maintain the highest level of mass happiness, the swiftest and most continuous progress, that any civilization on earth has ever been awarded.

Balanced Buying Power Is Required

"The one essential necessary to the return of balanced happiness in America is the establishment and maintenance of a balanced purchasing market.

"This unbalanced condition must be corrected so that the butcher workers can purchase the goods of the bakery workers and the workers of the baker can buy and use the products of the candlestick maker, etc.

"Workers who obtain low wages from sweat-shops and child labor employers cannot walk up to the retail counters and purchase products of the well paid workers who still do compose a fine and a large percentage of the American people.

Boycott of Cheap-Labor Goods Urged

"There is a way of correcting the unbalance between purchase power and production. It can be done—and it must be done, for the continuance of happiness and the prosperity of American Capital and Labor.

"The manner and method of re-balancing purchase-power with production can be almost instantly achieved when the public realizes fully the penalty inflicted by purchasing sweat-shop, child labor, and penal-institution produced goods and when they refuse to buy or use such blood-produced-products.

Demand A. F. of L. Union Labels

"There is a positive, safe guarantee for guidance away from goods of those types. The public does need to look for

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A. F. OF L. URGES VOTE ON ANTI-LYNCHING BILL

Executive Council Says Filibuster in U. S. Senate is Holding Up Other Legislation; Declares the Measure Is a Fair Bill.

By A. F. of L. News Service.

Miami, Fla.—The Executive Council of the American Federation of Labor, in session here, authorized William Green, president of the Federation, to send a message to members of Congress urging that the Senate filibuster against the Anti-Lynching Bill be ended and that a vote on the measure be taken as speedily as possible.

"We feel considerably disappointed over the filibuster against the Anti-Lynching Bill," said Mr. Green. "On behalf of the Council I am calling on labor's friends in Congress to bring about a termination of the filibuster and to bring it to a vote, as we think it will pass. We are opposed to the filibuster, as it is holding up legislation in which we are interested and we think the Anti-Lynching Bill is a fair bill."

Indorsed by A. F. of L. Convention

The 1937 convention of the American Federation of Labor registered its emphatic support of legislation for the purpose of removing from our society the blot of lynching" and instructed the Federation's Executive Council "to vigorously continue efforts for the enact-

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LABOR TROUBLES IN U. S. IS LAID TO 'REDS IN CIO'

Credit Given by Soviet Paper Indorsing Work

MOSCOW, Jan. 27 (I.N.S.)—Announcing that 15,000 new members have recently joined the Communist party in the United States, the semi-official newspaper Trud (Labor) today "credited" Communists working in the CIO for the past year's wave of labor unrest.

CONDEMNS AFL

At the same time Trud, organ of the All-Union Central Council of Trade Unions, bitterly condemned the American Federation of Labor and "Trotskyites" while heartily indorsing the Committee for Industrial Organization.

"The CIO, plus the organizing role of the Communist party, was successful in carrying out the wide striking movement," said Trud.

"The considerable membership of the CIO passed through a good school in their struggle against murderers of the steel and automobile trusts and the A. F. of L. strikebreakers."

HEROIC EFFORT

Workers in the steel and automotive industry have taken note of the fact, according to the paper, "that Communists were highly active and the most far-sighted fighters in the numerous sit-down strikes in the rubber and automobile industry.

"The Communist party is now making an heroic effort to add an organized character to these strikes."

—From the Washington Times.

LEWIS'S "PEACE" TERMS ARE REJECTED BY GREEN

"It Is Just the Same Old Thing, and No One Will Be Deceived By It," A. F. of L. President Says.

By A. F. of L. News Service.

Miami, Fla.—The swashbuckling peace terms in the A. F. of L.-C. I. O. controversy enunciated with unlimited braggadocio before the convention of the United Mine Workers of America in Washington by John L. Lewis, president of that organization and chairman of the Committee for Industrial Organization, did not deceive the Executive Council of the American Federation of Labor, in session here.

The substance of Mr. Lewis's proposal was that the alleged 4,000,000 members of the C. I. O. would march into the A. F. of L. in a body "if the A. F. of L. will issue charters to the C. I. O. units and later call a joint convention to arrange the details."

Lewis Vetoed Plan Accepted by C. I. O. Committee

Commenting on the Lewis statement, William Green, president of the A. F. of L., said:

"It is just the same old thing. No one will be deceived by it. This is identical with the impossible plan proposed by Mr. Lewis toward the end of the peace conferences.

"After he had vetoed our proposal, which had been accepted and approved by the C. I. O. committee, we rejected his plan then because it would not bring about peace. We rejected it because it would only serve to move the scene of war and discussion from outside the

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A. F. L. COUNCIL FINDS C. I. O. IS KEPT BY COAL MINERS' FUNDS

In Six Months Lewis Drew $830,000 From Mine Union Treasury to Bolster Up Decaying Committee for Industrial Organization.

By A. F. of L. News Service.

Miami, Fla.—With a copy of the semi-annual report of the United Mine Workers of America before it, the Executive Council of the American Federation of Labor issued a strong criticism of the policy of the union under the leadership of John L. Lewis in making large loans to the Committee for Industrial Organization.

Through a statement by President Green, the Executive Council declared that the Mine Workers Union was the "angel of the C. I. O." The Council noted that the union's expenditures, including loans for the last six months of 1937, were $2,526,531, while its income was $1,497,426, a difference between income and expenditures of $1,029,105.

C. I. O. Support Revealed by Auditor's Report

"The Executive Council gave consideration to the auditor's report submitted to the United Mine Workers convention," Mr. Green said. "We studied and analyzed the report and came to the conclusion that the United Mine Workers is the angel of the C. I. O., and that the C. I. O. exists only in name so far as its financial standing is concerned; that it is financially kept, sustained and fostered by the United Mine Workers.

"That conclusion is based upon this fact, that in the six months' period ended December, 1937, the figures showed that the miners' union supplied the C. I. O. with $830,000, of which $650,000 was in loans and $180,000 in taxes. That is nearly $140,000 a month. The United Mine Workers is supplying more money per month to the C. I. O. than all of the A. F. of L. unions pay each month to the A. F. of L.

Holds C. I. O. Is Financed by One Man

"The Executive Council asks why, if there are 4,000,000 dues-paying members in the C. I. O., that it is necessary to have it financed by the United Mine Workers?

"Our conclusion is that there are no dues-paying members in the C. I. O., other than the United Mine Workers of America. That is the answer to the inquiry why one man rules the C. I. O., because it is financed by one man."

$30,000 Contributed to Lewis' Labor League

In addition to the direct loan to the C. I. O., Mr. Green declared, the financial statement of the miners' union showed that it had made a loan of $475,000 to the Steel Workers Organization Committee, a loan of $99,000 to the Textile Workers Organization Committee, and a contribution of $30,000 to Labor's Non-Partisan League.

"Why does the United Mine Workers have to contribute so much of the miners money in this way?" asked Mr. Green. "We know that the loans will never be paid."

A. F. L. COUNCIL PONDERS JURISDICTION QUESTIONS

Miami, Fla. (AFLNS).—Consideration of jurisdiction questions occupied a portion of the time of the Executive Council of the American Federation of Labor at its quarterly meeting here.

An important case was a dispute between the International Union of Operating Engineers and the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America. Officials of the engineers' union claimed the job of pulling the lever on a truck carrying and unloading concrete belonged to their members, rather than to the drivers, members of the teamsters' union, who do the job as a part of their duties.

After thorough hearings and exchanges of briefs before Dr. John A. Lapp, referee for the building trades unions, the lever-pulling work was ruled as coming within the control of the teamsters. John Possehl, president of the Operating Engineers, appealed Dr. Lapp's decision to the Executive Council.

The Executive Council also heard a protest from Joseph Obergfell, secretary of the International Union of Brewery, Flour, Cereal and Soft Drink Workers of America relative to the action of the Council in authorizing the Teamsters' Brotherhood to use a union label which the Brewery Workers' spokesman claimed is similar to the one used for many years by the Brewery Workers' Union. The two unions have had a long jurisdiction dispute involving beer wagon drivers, the A. F. of L. Executive Council and the A. F. of L. convention having transferred the drivers to the Teamsters' Union.

Relative to reports that the International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators of the United States and Canada was considering demanding jurisdiction over screen actors, William Green, president of the A. F. of L., said no such proposal had been made so far.

A. F. of L. Unions Urged by Green To Leave Lewis's Labor League

Says It Is Merely a "Ventriloquist's Dummy For C. I. O. Leaders" and Opposed to Best Interests of American Labor; Charges That "Droves of Crusading Radicals and Communists" Joined Non-Partisan Group to Form Farmer-Labor Party.

By A. F. of L. News Service.

Miami, Fla.—"Labor's Non-Partisan League," of which John L. Lewis, chairman of the Committee for Industrial Organization, is the executive head, was denounced by William Green, president of the American Federation of Labor, in a statement here, as "nothing more than a C. I. O. agency, a ventriloquist's dummy for the C. I. O. leaders."

He recommended to the A. F. of L. Executive Council, in session here, that it order all Federation affiliates to withdraw from the league, stop contributing to its support, and oppose all political candidates endorsed by the league who are found "lacking the proper qualifications for public office."

Cites Miners Financial Aid to League

Pointing out that a contribution of $30,000 to the league in the last six months of 1937 was made by the United Mine Workers of America, Mr. Green said this fact showed that the union was the league's main support.

Declaring that Major George L. Berry resigned as chairman of the league when he entered the U. S. Senate, Mr. Green said that John L. Lewis succeeded Berry as chairman and Sidney Hillman became second in command.

Invaded by Communists

"Immediately the character of the league's activities changed," he said.

"It was announced that the league would become a permanent organization. Statements of league spokesmen clearly indicated they regarded it as the nucleus of an independent political party. Overtures were made to farmers' organizations seeking their cooperation with the league in the formation of a national Farmer-Labor party.

"Personnel of the league also showed an immediate and significant change. Droves of crusading radicals and Communists joined its ranks. Their objective also was to bring together the farm and labor vote into a new political party, which they hoped to take over, when organized, for their own purpose.

"At the same time loyal adherents of the American Federation of Labor still allied with the league began to look askance at these strange developments. They began to doubt the non-partisan character of the league.

Green Attacks Independent Political Action

These doubts were confirmed last Fall when the league actually put its own candidates in the field for local offices. In some cities officials of the C. I. O. unions were nominated for public office by the league. The local elections became a vital factor in the struggle between the Federation and the C. I. O. It is gratifying to report that in cities where the local organizations of the American Federation of Labor opposed the candidates of the league, the latter were defeated.

"Instead of accepting the mandate implied in these stunning defeats, the leaders of the league—that is, the leaders of the C. I. O.—announced their intention of persisting in their foolhardy enterprise. They declared the future and salvation of American workers rested upon independent political action. This false doctrine directly controverted the traditional non-partisan political policy of the American Federation of Labor, tried and tested by expe-

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NEW PARLEYS WITH C.I.O. HELD USELESS BY GREEN

Says Father Haas's Plan is Impracticable in View of Fact That Lewis Vetoed Agreement Reached by A. F. of L.-C. I. O. Conferees.

By A. F. of L. News Service.

Miami, Fla.—Reiterating the fact that John L. Lewis, chairman of the Committee for Industrial Organization, was to blame for the collapse of the recent peace conferences in Washington between representatives of the A. F. of L. and the C. I. O., William Green, president of the American Federation of Labor, rejected the peace proposal made before the United Mine Workers Convention in the Nation's Capital by Father Francis J. Haas, former member of the National Labor Relations Board.

It was reported that Father Haas had suggested that both sides stop blaming each other for the collapse of the peace conference, record their concessions in writing and resume negotiations.

"We all have a high regard and respect for Father Haas," said Mr. Green. "But his proposals are impractical.

"It is not a question of blaming the C. I. O. for the collapse of the peace negotiations. The records establish the fact that an agreement was reached between the C. I. O. committee and the A. F. of L. committee.

"It was accepted at one session and then an adjournment for lunch was taken. During luncheon Mr. Lewis vetoed the word of his committee and we were told at the afternoon meeting that the agreement was off.

"We are still waiting for the agreement to be lived up to. When it is, we shall be glad to sit down with the C. I. O. and work out the details. It was accepted by the duly authorized representatives of the C. I. O.-and no one man has a right to veto it.

"The A. F. of L. does not blame the C. I. O. It blames John L. Lewis alone."

SENATE PASSES HOUSING BILL

Vote Was 42 to 40; Clamor of Low Wage Mortgage Companies Was Instrumental in Defeating Prevailing Wage Amendment; Bill Provides Government Guarantee of Mortgages on Homes.

By A. F. of L. News Service.

Washington, D. C.—The Administration housing bill entered its final stages when the Senate adopted by the close vote of 42 to 40 the conference report which had already been approved by the House of Representatives. The bill was introduced 65 days prior to the Senate's final action.

A strong fight was staged in the Senate for two days during the debate on the conference report centering around an amendment by Senator Lodge of Massachusetts that would have required the payment of "prevailing wage rates" on housing construction financed by the government-guaranteed mortgage authorized by the Act.

In a roll call vote taken in the Senate on December 21 the prevailing wage amendment was inserted in the bill by a majority of 51 to 17 votes. After prolonged conferences the conferees drafted a new bill with the prevailing wage amendment deleted.

Evidently strongly influenced by mortgage companies and investors who are consecrated to the philosophy that the basis of the housing program should be cheap labor working for wage rates lower than the not unduly high rates built up by the organized building trades after many years of struggle to secure better living standards, a majority of the Senators voting on the measure agreed with the conference committee and sustained the elimination of the prevailing wage proposal.

Argument of Deletionists

The main argument of Senators who voted to sustain the elimination of

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High Court Upholds Labor Board Power

U. S. District Courts Are Not Given Authority by Labor Act to Enjoin Hearings Ordered by Board, Says Brandeis Opinion.

By A. F. of L. News Service.

Two broad-gauged opinions sustaining important powers of the National Labor Relations Board set forth in the National Labor Relations Act were handed down by the Supreme Court here.

The opinions, read by Justice Brandeis, ruled that Federal District Courts are without power to enjoin hearings held by the Labor Board for the reason that Congress in the Labor Act had given exclusive power to the Board and to Federal appellate courts to enforce the provisions of the law.

The Fore River Yards of the Bethlehem Ship Corporation, Ltd., and the Newport News Shipbuilding and Dry Dock Company were involved in the controversies. In both cases the National Labor Relations Board undertook to conduct hearings on charges of unfair labor practices prohibited by the Labor Act.

In the Bethlehem case, the Federal District Court granted an injunction prohibiting the Board from holding the hearings. On appeal the decision of the Federal District Judge was upheld by the First Circuit Court of Appeals.

In the suit brought by the Newport News Shipbuilding and Dry Dock Company the Federal District Court refused to enjoin the Labor Board from holding hearings and was sustained by the U. S. Circuit Court of Appeals for the Fourth Circuit.

Injunction Held "Improvident"

"We are of opinion that the District Court was without power to enjoin the

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Russian Unions Hit By A. F. L. Council

Says Federation Will Withdraw From International Federation of Trade Unions If Soviet Group Is Admitted.

By A. F. of L. News Service.

Miami, Fla.—If the Communist trade unions of the Union of Soviet Socialist Republics are admitted into the International Federation of Trade Unions the American Federation of Labor "will feel compelled to withdraw" from the I. F. T. U., William Green, president of the A. F. of L., said in a statement here announcing the decision of the A. F. of L. Executive Council.

Although the executive committee of the I. F. T. U. has rejected, "for the time being," the plan to admit the Communist unions, Mr. Green's statement said the rejection was not because of "the principle involved."

Asserting that the trade unions in Soviet Russia were not free unions as trade unionism is understood in countries where democratic institutions prevail, Mr. Green said that the A. F. of L. Executive Council had authorized him to transmit the Federation's views to Sir Walter Citrine, president of the International Federation of Trade Unions and secretary of the British Trade Union Congress.

A. F. of L. Statement

Following is the statement of the American Federation of Labor:

"The Executive Council of the Ameri-

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PRESIDENT GREEN BARS TRIAL BY MINE WORKERS CONVENTION

In Letter to Delegates Denies All Charges Made Against Him of Disloyalty and of Promoting Dual Union; Declares That Mine Workers Constitution Does Not Give International Executive Board Power Either to Accuse a Member Before the Convention or to Confer on the Convention Authority to Pass on the Conduct of a Member; Challenges the Right of Lewis and His Fellow Officers to Make Contributions, Veiled as Loans, of More Than $2,000,000 to the Committee for Industrial Organization; Urges Delegates to Demand From Lewis His Authority For Reckless Squandering of Union Funds; Holds Lewis Responsible for Smashing Peace Conference in Washington Between Representatives of the A. F. of L. and the C. I. O. and Charges That Lewis Misrepresents the Facts When He Claims the C. I. O. Has a Membership of 4,000,000.

"And Have You and All the Members of the United Mine Workers of America, Whose Moneys Are Being Used by Our International Officers, Given Thought That If You Are Being Deceived By Them on the Essential Facts Justifying Their Expenditures, Perhaps Their Representations To You on the Essentials Which Are Keeping You From Reuniting With the American Federation of Labor Are Also False? For Is It Not Ominous That Our International President Does Not Contradict or Challenge the Public Proclamations of Mr. Dubinsky, Who Himself Was a C. I. O. Peace Conferee, That the Peace Conferees of the American Federation of Labor Offered to Take Back the Original C. I. O. Unions But Only After the Merger of the Twenty-Two Unions Chartered by the C. I. O. Had Been Satisfactorily Arranged, and Not Before?"

"And in the Light of the Negligible Increase in Membership of the C. I. O. Under the Leadership of Our International President Despite the Cost of Millions, Is This Not a Fair Inquiry to Make: Was Not the Veto Exercised by Our International President Over the Agreement of the C. I. O. Conferees at the Washington Peace Conference to Accept the Formula For Peace Therein Arranged; Was Not the Deliberate Misrepresentation Made to You by Him as to the Membership of the C. I. O. and His Empty Challenge to Have These 4,000,000 Members Ride Into the American Federation of Labor if Only They Were Taken in Without Challenge; Were Not These Actions on His Part Simply a Smoke Screen to Hide From You the Failure of His Leadership, to Ward Off the Day of Reckoning for His Reckless Squandering of Your Money?"

By A. F. of L. News Service.

Miami, Fla.—William Green, president of the American Federation of Labor, in a letter to Thomas Kennedy, secretary-treasurer of the United Mine Workers of America, denied that he had been disloyal to his union in connection with granting the Progressive Miners of America an A. F. of L. charter, denied the authority of the Mine Workers convention in Washington to try him on this and other charges, and claimed the International Executive Board of the Miners Union violated their constitution by referring the charges to the convention.

Asking that the letter be read to the Miners convention and be made a part of the convention records, Mr. Green asserted that Lewis in claiming 4,000,000 members for the C. I. O. had resorted to wholesale misrepresentation, challenged the authority of Lewis to squander $2,000,000 of the union's funds in contributions to the C. I. O., and charged Lewis with having deliberately smashed the Washington Peace Conference after the representatives of the American Federation of Labor and the Committee for Industrial Organization had agreed on equitable terms for settling the controversy.

TEXT OF GREEN'S LETTER

The text of Mr. Green's letter to Mr. Kennedy follows:

January 28, 1938.

Mr. Thomas Kennedy, Sec.-Treas.,
United Mine Workers of America,
Washington, D. C.

Dear Sir and Brother:

On January 13, 1938, you advised me that the International Convention of the United Mine Workers of America, now in session in Washington, would hear, and you requested me to appear and defend myself on,

(a) certain charges filed against me by four locals in June and July, 1937, and

(b) a "cease and desist order" of the International Executive Board of November 18, 1936, both referred to the Convention by the Board on July 23, 1937.

"Dual Union" Charge

The charges by the four locals were those filed under Section 7 of Article XVIII of the Constitution of the International Union, United Mine Workers of America. They alleged that I had violated that section, in that, in my official capacity as President of the American Federation of Labor I had notified the Progressive Mine Workers of America that the Executive Council of the Federation had accepted it into affiliation with the American Federation of Labor. This action, it was charged, constituted "encouraging a dual union" in violation of Section 7 of Article XVIII.

"Disloyalty" Charge

The "cease and desist order" of the International Executive Board of November 18, 1936, which it has referred to the Convention, requested that I cease to perform my official duties as President of the American Federation of Labor pursuant to action of the Executive Council and Conventions of the Federation in all matters to which the United Mine Workers of America did not agree, as such action would constitute disloyalty to the United Mine Workers.

Executive Board "Waived Jurisdictional Rights"

In your letter of January 13, 1938, you referred to the action of the International Executive Board of July 13, 1937, wherein the Board "waived its jurisdictional rights" to try me on the charges of the four locals and on the "cease and desist order" of November 18, 1936, and decided that these "shall be referred to the next International Convention, the Convention to assume original jurisdiction of the charges and the trial."

Request For Specifications Ignored

In my reply of January 15, 1938, to your letter of January 13, 1938, I asked you to,

(1) "specify the charges filed against me by you or your associate officers of the United Mine Workers of America";

(2) "cite the section or sections of the Constitution of the International Union, United Mine Workers of America, which authorizes a Convention of the United Mine Workers to pass upon the charges filed against me."

I advised you also in my letter of January 15, 1938, that upon receipt of your answer: "I will make further reply to your letter dated January 13, 1938."

To date I have not received an answer

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Miners Union Is Just "Passing the Buck" In His "Trial," Says President Green

By A. F. of L. News Service.

Miami, Fla.—William Green, president of the American Federation of Labor, in a statement here, declared that the whole procedure of the United Mine Workers of America in his trial was "ridiculous."

He recalled that the International Executive Board of the United Mine Workers of America had asked the miners convention in Washington to try him on charges of treason, despite the fact that the constitution of the United Mine Workers specifically barred such action. Then, following his letter to Thomas Kennedy, secretary-treasurer of the United Mine Workers, directing attention to this violation of the Mine Workers constitution, the Miners Convention referred the case back to the International Executive Board for trial.

"I will classify the whole procedure as ridiculous," Mr. Green said. "It

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PRESIDENT GREEN BARS TRIAL BY MINE WORKERS CONVENTION

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to my letter of January 18, 1938, and I assume that none will be forthcoming. I therefore give you herewith my answer to your request of January 18, that I appear before the Convention now in session in Washington to defend myself against the charges of the four locals under Section 7 of Article XVIII and against the "cease and desist order" of the International Executive Board above stated.

I.

Provisions of Miners' Constitution Concerning Charges, Trials and Appeals

A. Section 13 of Article XX of the Constitution of the International Union, United Mine Workers of America, provides

"The Constitution shall be in force and effect from February 6, 1936, and shall remain in full force and effect until amended by a majority vote of the delegates of any International Convention."

Section 1 of Article XII of the Constitution provides that the next International Convention shall be held on the fourth Tuesday in January, 1938. As there is no other method by which the Constitution can be amended, it is therefore clear that the Constitution effective Feb. 6, 1936, was in force on July 13, 1937, on January 18, 1938, and is still in full force and effect.

B. Under Section 7 of Article XVIII of the Constitution under which the charges of the four locals above referred to were filed before the International Executive Board, that Board has jurisdiction only to hold hearings on such charges and thereafter either to do nothing, to dismiss the charges, or to find the accused guilty and thereupon to expel or suspend him. By the same section, it is provided that:

"An appeal may be taken by the accused from such decision by the International Executive Board to the next International Convention. In all such cases the decision of the International Executive Board shall be effective unless reversed by the next International Convention."

C. On July 23, 1937, the International Executive Board acted on the charges filed by the four locals under Section 7 of Article XVIII. Its action consisted of (a) waiving the jurisdiction to hear the charges which was granted to it under Section 7, and (b) appealing to this Convention to exercise original jurisdiction to hear these charges.

Executive Board Violated Constitution

But nowhere in the Constitution is there any provision permitting the International Executive Board to appeal from its own decision made in respect to charges filed under Section 7 of Article XVIII.

Nowhere in the Constitution is the International Executive Board given jurisdiction to confer on the International Convention original jurisdiction to hear charges filed with the International Executive Board under Section 7 of Article XVIII.

Any such power or jurisdiction in the International Executive Board or in the International Convention could come only through an amendment to the Constitution.

But there is no provision in the Constitution permitting the International Executive Board to amend the Constitution or permitting amendments thereto in any manner other than as specified in Section 13 of Article XX above referred to.

From the above I conclude that:

1. The International Executive Board has taken no action on the charges filed with it under Section 7 of Article XVIII from which I have or could or want to take appeal to the Convention as provided in said Section.

2. The International Executive Board has no power itself to appeal to the Convention from its own action in waiving its jurisdiction to hear the charges under said Section 7.

3. The International Executive Board has no power to amend the Constitution to confer original jurisdiction on the Convention to hear charges filed before the Board under said Section 7.

Convention Has No Power to Assume Jurisdiction

4. The Convention is given no power under the Constitution to assume original jurisdiction to hear charges filed with the International Executive Board under Section 7.

My answer to you therefore is that there is nothing at this time before the Convention for me to appear and defend in respect to charges filed with the Executive Board under Section 7.

In respect to the request that I appear before the Convention to defend myself against the "cease and desist" order of November 18, 1936, you are advised that:

1. Section 2 of Article XVIII of the Constitution of the International Union United Mine Workers of America effective February 6, 1936, and now in effect, provides that any charges against any member other than those specified under Section 7 of Article XVIII must be "first lodged with and prosecuted before the local union of which the alleged offender is a member and the decision of the local union shall close the case as far as that tribunal is concerned."

By this section the decision of the local union is subject to appeal by the accused or his accuser to the next highest tribunal in authority and so on up until a final decision is reached.

Executive Board Has No Constitutional Power to Accuse Union Member Before Convention

2. Nowhere in the Constitution is the International Execut[illegible] Board given the power to act as [illegible]ccuser before the Convention of the United Mine Workers of America in respect to conduct by a member.

Nowhere is the International Executive Board given the power to confer on the Convention original jurisdiction to pass on the conduct of a member.

Nowhere in the Constitution is any member required to justify his conduct before the International Executive Board or before the Convention or elsewhere except as specified in Article XVIII.

Nowhere in Article XVIII is there any provision for appearance by a member before anybody other than his local union to justify his conduct, other than those specified in Section 7, Article XVIII above referred.

No reply was made to my request of January 18, 1938, that you specify the charges covering the "cease and desist order" and in the absence thereof there is no charge covered thereby applicable under Section 7 of Article XVIII.

My answer to you therefore is:

There is nothing at this time before the Convention for me to appear and defend in respect to the "cease and desist order" of November 18, 1936.

II.

Support of Mine Workers Constitution Emphasized

Now, through you, to the delegates in Convention assembled and to the several hundred thousand members of the United Mine Workers of America to whom you and they are responsible under the Constitution, I want to speak, as a charter member of Local No. 379, as a member of the United Mine Workers of America from the day, January 25, 1890, when it received its certificate of affiliation from the American Federation of Labor, and as a dues-paying member now and for over forty-five years in good standing.

Obligations of Local Unions and International Officers

You and I agreed by joining our local union to abide by its Constitution and its rules and by the duly adopted action of its governing bodies and officers. Each of our local unions agreed by its charter to adopt a Constitution and rules "as do not conflict with the laws or rulings" of the International Union. If, therefore, the International Executive Board or the International Convention took action authorized under the Constitution of the International, it would follow that

(1) Such action by the International Executive Board or Convention would be binding on each local, yours and mine, and through each local, on each member thereof, you and me, even though such action were contrary to or even overrode any policy, course of conduct or program which each such local, yours and mine, had adopted when separately functioning; and

(2) Any officer of the International, if he carried out the authorized action of the International Executive Board or Convention, would not violate the Constitution or the rules of the local of which he was a member even though such action were contrary to or override any policy, course of conduct or program of such local; and

(3) If such officer of the International should refuse to carry out the authorized action of the International Executive Board or Convention on the ground that it was in violation of the Constitution or the rules of his local or that it was contrary to, or overrode any policy, course of conduct or program of his local, such refusal would be in violation:

(a) of his oath as a member of his own local to abide by its constitution which in turn provided that the local will abide by the Constitution of the International Union and all action authorized by it; and

(b) of his oath as an officer of the International Union to carry out all authorized action of the International; and

(4) If the local of which he is a member should object to the action authorized by the International Executive Board its recourse would be by appeal to the Convention as provided in the Constitution of the International; and even if it should object to the action of the Convention, the local would be bound by the majority action of the Convention, and such majority action would be binding with finality on the local no matter how strenuous its objection or unwise the local may consider it to be; and

(5) Any action taken by the local in opposition to the authorized action of the International or to thwart the execution thereof by the officers of the International through pressure on them by virtue of membership in the local, would be outside its jurisdiction and absolutely void as beyond the power granted to the local by its charter contract with the International; not binding on it or on any of its members, whether an officer of the International or not, and to be disregarded by each such member; and

(6) The persistence by the local to coerce its member to disregard, as an officer of the International, the authorized action of the International or the refusal by the local to willingly abide by such authorized action, would

(a) reduce the charter of affiliation with the International to a scrap of paper; and

(b) constitute rebellion against the International; and

(c) render the local unworthy of the respect and confidence which in this United States exists for all who bind themselves together in fraternal association.

Duties of A. F. of L. President

Now consider the situation between the International Union United Mine Workers of America, the American Federation of Labor, and my action as President of the American Federation of Labor:

1. The Certificate of Affiliation from the American Federation of Labor to the United Mine Workers of America of January 25, 1890, provides that the Union would be governed by the Constitution, Rules and Usages of the American Federation of Labor.

Must Carry Out Executive Council's Directions

2. Under the Constitution of the American Federation of Labor, its President must execute all official documents and must carry out the directions of the Executive Council. The Executive Council by proper vote authorized and directed the President to issue a certificate of affiliation to a new union. Such action of the Executive Council was pursuant to its powers under the Constitution of the American Federation of Labor, binding on all affiliated unions unless and until reversed by the Convention of the American Federation of Labor in accordance with the procedure prescribed by said Constitution.

Executive Council's Actions Are Binding on Mine Workers

It is obvious that:

(1) Upon the basis of the above analysis, such action of the Executive Council of the American Federation of Labor not having been reversed by any Convention of the American Federation of Labor is as binding on the International Union United Mine Workers of America, on the International Executive Board of the United Mine Workers of America, on each local of the United Mine Workers of America and on each member of each local as was the action of the International Union above described, and this is so, even though such action of the American Federation of Labor is contrary to, or overrides a policy, course of conduct or program of the International Union, United Mine Workers of America;

Coercion of A. F. of L. President by Miners Board Reduces Contractual Obligations to Scrap of Paper

(2) Any action taken by the International in opposition to the authorized action of the American Federation of Labor or to thwart the execution thereof by any officer of the American Federation of Labor through pressure on him by virtue of his membership in the International would be outside the International's jurisdiction and absolutely void as beyond the power granted the International by its charter contract with the American Federation of Labor; such action would not be binding on the International or on any of its members whether an officer of the American Federation of Labor or not and could be disregarded by each such member; and

(8) The consequences would follow that such action by the International reduces its contractual obligations to a scrap of paper and constitutes rebellion against the orderly procedure of fraternal association.

It is inconceivable to me that, with full knowledge of the facts and with a clear realization of the consequences of your action, you as delegates and you as members to whom the delegates are responsible, would even consider action to coerce one of your members who through your effort was honored to occupy the position of President of the American Federation of Labor; to have him violate his oath as a member of the United Mine Workers of America and as an officer of the American Federation of Labor by refusing to carry out the authorized action of the American Federation of Labor.

Is it not apparent to you therefore that the charges made and pressed against me for my action already taken, and to prevent further action by me in my official capacity as President of the American Federation of Labor pursuant to authorized action of its Executive Council and of its Conventions, are in truth mere attempts by those who are dissatisfied with such action to coerce me to violate my oath as one of your members and as an officer of the American Federation of Labor?

I conclude therefore in respect to the merits of the charges made covering my action as President of the American Federation of Labor with my answer thereto that:

I unqualifiedly and without equivocation most emphatically deny the charges as made and each and every one of them.

III.

Miners' Officers Contributed $2,000,000 of Union Funds to C. I. O.

Fellow members and delegates: May I now direct your attention to a matter: so serious that it threatens the solvency of the International; so reckless that it challenges our sense of integrity; so destructive of the welfare of our members that it defies warrant; and so reflective of sinister color as to discredit in the court of public opinion the entire labor movement of America.

The Auditors' Semi-Annual Report of the United Mine Workers of America for the period June 1, 1937, to December 1, 1937, just released and before you, reveals the startling disclosures that the executive officers of the International spent in that period for the benefit of the C. I. O. and its subdivisions, $1,414,000. Of this amount $1,234,000 is labeled as LOANS.

These expenditures exceeded by $115,000 the entire amount of taxes collected by the International and resulted in a deficit of $850,000 for the six months' period after giving effect to all taxes and assessments collected and to the expense paid for the same period. In other words, to effect these so-called LOANS it was necessary for our International officers to dip into the accumulated funds of previous periods and to deplete our reserves by almost a million dollars.

But that is not all. From previous reports it appears that to June 1, 1937, our International officers made expenditures labeled as LOANS to the C. I. O. and to its subdivisions in excess of another million, making a total of expenditures labeled LOANS to the C. I. O. and its subdivisions in the last two years of more than $2,000,000. Two million dollars represents a very substantial portion of the entire resources of the International.

Authority of Union Officials to Finance C. I. O. Challenged

Is it not of vital import to each of you delegates to inquire of the International Executive Board and of our International officers submitting this report to you so that you may each be able to answer intelligently to your fellow members to whom you are responsible, the following:

1. By what authority have the Executive Board and the International officers made these expenditures in these amounts for the C. I. O. and its subdivisions?

2. In what respects are these expenditures LOANS and not GIFTS? If LOANS, to whom were they made, what is the responsibility of the borrowers, and what are the terms of re-payment?

Cites Dubinsky and Murray to Puncture Lewis's Claim of 4,000,000 C. I. O. Members

3. For what purpose were these expenditures made? We were told by our International President that he was undertaking the leadership of the C. I. O. to help the cause of industrial unionism so as to make possible organization for the millions in the mass industries who, he represented to us, were clamoring for organization.

If the expenditure of these millions were for this cause and to this end, let him tell us whether he is deceiving you at this Convention when he advises you of the membership of 4,000,000 in the C. I. O. or whether his associate in the C. I. O., Mr. David Dubinsky, President of the International Ladies' Garment Workers and also a contributor to the C. I. O. was deceiving himself when within the last ten days Mr. Dubinsky publicly and without contradiction by our International President or by anyone else proclaimed:

"Let me tell you I have made an analysis of the membership of the various international unions affiliated with the C. I. O. and without stating totals, I say definitely and none can successfully refute this: The 10 or 12 original C. I. O. unions represent 75 per cent of its membership today, while the other 20 or 22 unions represent between 20 and 25 per cent of the membership, and I am an expert on figures."

And let our International President tell us whether our Vice-President Philip Murray was deceiving himself when at the recent peace conference in Washington he publicly and without contradiction by our International President or by anyone else proclaimed that the original C. I. O. unions represent not over 1,500,000 members.

And if our Vice-President Murray and Mr. Dubinsky are not deceiving themselves, then is it not apparent that you are being deceived by our International President through inflated misrepresentations into believing that your expenditures when made for the C. I. O. are accomplishing the intended results and not resulting in failure?

Lewis Smashed Peace Conference

And have you and all the members of the United Mine Workers of America whose moneys are being used by our International officers, given thought that if you are being deceived by them on the essential facts justifying their expenditures, perhaps their representations to you on the essentials which are keeping you from reuniting with the American Federation of Labor are also false?

For is it not ominous that our International President does not contradict or challenge the public proclamations of Mr. Dubinsky, who himself was a C. I. O. peace conferee, that the peace conferees of the American Federation of Labor offered to take back the original C. I. O. unions but only after the merger of the twenty-two unions chartered by the C. I. O. had been satisfactorily arranged, and not before?

And in the light of the negligible increase in membership of the C. I. O. under the leadership of our International President despite the cost of millions, is this not a fair inquiry to make:

Was not the veto exercised by our International President over the agreement of the C. I. O. conferees at the Washington peace conference to accept the formula for peace therein arranged; was not the deliberate misrepresentation made to you by him as to the membership of the C. I. O. and his empty challenge to have these 4,000,000 members ride into the American Federation of Labor if only they were taken in without challenge; were not these actions on his part simply a smoke screen to hide from you the failure of his leadership, to ward off the day of reckoning for his reckless squandering of your money!

I leave the inquiry with you and with him.

Miners Union Is Just "Passing the Buck" In His "Trial," Says President Green

(Continued on Page 2)

started a year or more ago. First, they issued an injunction against me to cease and desist from certain things.

"Then, when I was busy presiding over the Tampa convention they summoned me to meet their executive board.

"Then a year passed, and they decided to present the matter to the convention. Now they decide to pass it back to the board. They are just passing the buck. In my judgment the public may decide what it thinks about this situation.

"The charge of cowardice and treason rests on this basis: I am called a coward because I faithfully executed the orders of the Executive Council and of A. F. of L. conventions, because I was the instrumentality through which the executive council had its orders carried out."

Mr. Green denied the charge that he had "conspired" with the Progressive Miners of America to have that union apply for a charter in the A. F. of L.

A. F. of L. Unions Urged by Green To Leave Lewis's Labor League

(Continued from Page 1)

rience and found eminently successful in achieving progress for labor.

League Opposed A. F. of L. Wage and Hour Bill

"When the American Federation of Labor came out in opposition to the hodgepodge Wage and Hours Bill, with its myriad, ill-considered amendments, with its inequitable differentials, with its dangerous delegation of sweeping powers to a single administrator, the league started a militant campaign for that bill.

"When the American Federation of Labor put forward a model wage and hour bill providing equal and fair treatment for workers in oppressed industries in every section of the country, the league exerted all the pressure at its command to induce members of the House of Representatives to defeat that bill.

C. I. O. Leaders Use League For Personal Political Ambitions

"Careful investigation of the record of labor's Non-Partisan League leads to these inevitable conclusions:

"1. The league is nothing more than a C. I. O. agency, a ventriloquist's dummy for the C. I. O. leaders. When the league speaks, it is with the voice of the C. I. O. leaders. When it acts, it is the C. I. O. leaders who pull the strings.

"2. It is opposed to the best interests of American labor, and therefore should be opposed by the American Federation of Labor.

"3. It is devoted chiefly to promoting the personal political ambitions of C. I. O. leaders.

A. F. of L. Units Urged to Quit League

"Therefore, I recommend:

"1. That all State federations of labor, city central bodies and local organizations affiliated with the American Federation of Labor be directed to withdraw from association with Labor's Non-Partisan League.

"2. That all organizations affiliated with the American Federation of Labor and their individual members are urged to cease contributing to the financial support of Labor's Non-Partisan League.

"3. That coordinated efforts be undertaken by the officers of the American Federation of Labor and all its affiliated bodies to examine carefully into the qualifications of all candidates for public office nominated or indorsed by Labor's Non-Partisan League and any of its subsidiary groups to the end that effective opposition may be marshaled against any of such candidates found lacking the proper qualifications for public office."

HATTERS AND CAP MAKERS UNION SIGNS 2-YEAR PACT

Agreement Negotiated in New York Covers 22,000 Workers and 800 Employers.

New York, N. Y. (AFLNS).—A notable two-year agreement, covering 22,000 workers and 800 employers, was signed here by representatives of the United Hatters, Cap and Millinery Workers' International Union and the Eastern Women's Headwear Association. It resulted from prolonged negotiations presided over by Max Meyer, a member of the State Mediation Board.

While the agreement provides for the retention of existing wage and hour schedules and working conditions contained in the old agreement which expired January 1, an important change prescribes more rigid provisions for greater responsibility both by employers and employes in the enforcement of the contract and the stabilization of the industry.

The executive boards of the locals of the union directly concerned ratified the agreement, with prompt ratification by the rank and file expected to follow at a mass meeting.

It was explained that while the agreement is between the union and the Eastern Women's Headwear Association, the 800 individual employers will be required to sign contracts.

Dr. Paul Abelson declined to continue to serve as impartial chairman of the industry. A joint committee of the union and the employers association selected Isaac Siegmeister, an attorney, to take Dr. Abelson's place.

Russian Unions Hit By A. F. L. Council

(Continued from Page 1)

can Federation of Labor is glad to learn that the plan of admitting the so-called unions of Soviet Russia to the International Federation of Trade Unions has been disapproved by the executive committee of the International Federation of Trade Unions at least for the time being.

"It appears, however, that the rejection of the project at this time has not been based upon the principle which is involved but only upon certain conditions which the Russian organizations had attached to the proposal. We, therefore, feel it our duty to declare ourselves unequivocally against the proposal.

Russian Unions Do Not Have Real Freedom

"Sufficient ground for our objection is found in the fact that the Russian organizations in question are not trade unions in the sense that term bears in every democratic country and which it has always and everywhere borne until the rise of dictatorships since the World War. They have no more freedom of action than have the official organizations commonly known as 'Labor Fronts' in Italy, Germany, and Austria. Like these, they are in effect only a part of the administrative machinery of the dictatorial regime.

"Free trade unions and governmentally controlled 'labor fronts' are as incompatible as are democracy and dictatorship in the State. The attempt to combine them in one world federation can result only in confusion, internal strife and disaster. The American Federation of Labor will take no part in such a suicidal venture.

A. F. of L. Is Committed to Free Trade Unionism

"Organized labor in the United States is firmly committed to the maintenance of free trade unionism as well as of freedom on the political field. It has already suffered too much at the hands of advocates or agents of the dictatorships to be blind to the danger involved in any compromise with them.

"Should the Russian organizations become a part of the International Federation of Trade Unions we have no doubt that the American Federation of Labor will feel compelled to withdraw. It would deeply regret such a breaking of the bonds that connect it with trade unionism beyond the sea. We earnestly hope that the occasion will not rise."

SENATE PASSES HOUSING BILL

(Continued from Page 1)

the prevailing wage amendment, according to their leaders, was that they believed the amendment would wreck the purpose of the bill by creating a hazard for mortgagees in a situation over which they would have no control—the payment of wages by contractors.

It was argued that since the penalty for non-payment of prevailing wages would have been the refusal of the Government to guarantee the housing mortgages, therefore lending concerns would boycott finance operations under the bill and thus nullify its value.

Senator Wheeler Speaks For Labor

Senator Burton K. Wheeler of Montona, speaking for the group of Senators which backed organized labor in its demand that the prevailing wage amendment should be retained, stated the truth when he said:

"Every one knows that if this bill is passed without the prevailing wage provision a drive will be made on the part of those who loan this money to drive down wages. All labor people realize this perfectly well."

Proponents of the measure claimed that it was designed to spur construction of housing for 600,000 to 800,000 families annually for several years. They believe this will be done in the three ways set forth in the measure for liberalizing the National Housing Act—increasing the percentage of government guarantee on mortgages for very small homes, enlarging the scope of operations to include very large units, and further limiting permitted premium rates.

Provisions of the Bill

The bill authorizes the establishment of national mortgage associations to underwrite housing mortgages made by private lending agencies, which may issue debentures to a limit of twenty times their capitalization. Such underwriting is authorized to a maximum of $2,000,000,000, and the President is permitted to extend this limit to $3,000,000,000.

The associations may guarantee mortgages on homes valued under $10,000 up to 90 per cent of the first $6,000 and 80 per cent of the balance.

All other housing mortgages within the limits of the bill are eligible for guarantees of 80 per cent of the value of the property.

All mortgages must bear interest of 5 per cent plus annual premiums, which are ¼ of 1 per cent on houses costing less than $6,000, and may vary from ½ of 1 per cent to 1 per cent on more expensive construction.

These premium payments will be payable on the diminishing balance of mortgages instead of face value, as at present, and this benefit will be extended to mortgages written under the present Housing Act.

The bill also provides for revival of loans for modernization and repairs, a section of the original housing bill that has expired.

In the field of heavy construction, where the Federal Housing Administration announces $50,000,000 worth of work is awaiting completion of the new act, the mortgage associations may insure mortgages on private ventures to a value of $200,000 and on housing projects promoted by limited dividend corporations to a maximum of $5,000,000 value per unit.

METAL POLISHERS UNION NAMED BARGAINING AGENT

Dayton, Ky. (AFLNS).—The long fight of the local union of Metal Polishers, Buffers, Platers and Helpers' International Union, for recognition by the Wadsworth Watch Case Company here has been won.

The National Labor Relations Board, has designated the A. F. of L. union as the collective bargaining representative for the firm's metal polishers, buffers, platers, holdermen, cleaners and inspectors.

Full Support For "Proper" Profit System Is Pledged By A. F. of L.

(Continued from Page 1)

the Union Labels of the American Federation of Labor and of its affiliated national and international unions, plainly imprinted upon thousands of products in various fields, proving that the particular articles were produced under ideal conditions by fairly paid workers who feel a just pride in their craftsmanship.

"Naturally, the American Federation of Labor is aware that every-day purchases among the public, are only remotely conscious of which brands of the products on the market do carry the union label. That is why the American Federation of Labor now announces a momentous national educational campaign never before attempted.

Big Label Exhibition Planned for Cincinnati

"On May 16th and continuing through May 21st, 1938, in the famous Music Hall at Cincinnati, Ohio, the American Federation of Labor and its 104 national and international unions, with its four million members, under the sponsorship of its Union Label Trades Department, will hold a National Exhibition of products and services that are made by or serviced by American Federation of Labor unions.

Backed by Millions of Union Members

"To this Exhibition will come representatives of the union labor minded and union label conscious market of all America, in the form of delegates from the American Federation of Women's Auxiliaries of Labor, a mighty army of two million wives and sisters and friends of members of the American Federation of Labor, and American Federation of Labor delegates from 104 National and International Unions, more than 800 Central Labor Unions, 822 Department Councils, 33,000 local unions, 300,000 members of cooperating railroad unions and more than a million cooperating organized farmers, as well as the four million members of the American Federation of Labor Unions.

Also will come direct representatives in the form of some of the four million union workers themselves, from the union marke tthat spends more than six billion dollars in union-earned money per year for living needs.

Monopoly of Trade Unionists' Buying Power Planned for Those Who Employ Union Members

"The American Federation of Labor is going into the merchandising business. We propose to leave no stone unturned in delivering the union market to the worthy American manufacturers who employ members of unions affiliated with the American Federation of Labor. We expect to educate the general public to the point where it can and will easily identify and purchase those union labeled brands of products and will use those certain union conducted services. By cooperating with the American Federation of Labor and those employers who use the Union Label the public can bring prosperity to and maintain prosperity in our Nation.

"We are confident that education will do the job. The American Federation of Labor Union Label and Industrial Exhibition proposes in its gigantic plan to start directly toward its worthy and patriotic goal at Cincinnati in May.

"The American Federation of Labor is consecrated to the preservation of the American system—by the logical method of correcting, by this sound American method, the only thing now in error with the greatest civilization on earth, the mere unbalance between American purchasing power against American production."

LEWIS'S "PEACE" TERMS ARE REJECTED BY GREEN

(Continued from Page 1)

A. F. of L. into its very midst. The same objections prevail now."

Dubinsky Exploded C. I. O. Membership Canard

Pointing out that the A. F. of L. believed that peace would ultimately develop from the position taken by David Dubinsky, president of the International Ladies Garment Workers Union, a C. I. O. affiliate, who claimed that the peace conference in Washington had reached satisfactory peace terms when John L. Lewis smashed the terms and broke up the conference, Mr. Green added:

"Mr. Dubinsky made the situation plain. Mr. Dubinsky also exploded the C. I. O. claim of 4,000,000 members by saying that 75 per cent of its membership was in the old A. F. of L. unions. That is not our statement, but Mr. Dubinsky's."

A. F. of L. Terms Outlined

Regarding the A. F. of L. proposal that the ten suspended C. I. O. unions return to the Federation and that committees work out terms for unions which claimed the same jurisdiction, Mr. Green stated:

"To avoid the charge that we wanted the suspended unions to desert the others, we agreed that they were to remain outside pending the outcome of the conferences and then, when a settlement was reached, all would come back into the Federation. That was accepted and agreed to by both committees and vetoed later by Mr. Lewis.

Lewis's Plan Held Impossible

"Mr. Lewis, in the subcommittee meetings, proposed that all the C. I. O. unions march in together into the A. F. of L. without the preliminary conferences and then make their settlements after they came in, with the stipulation that the Federation charter all the C. I. O. unions.

"That would have transferred the jurisdictional fight inside the A. F. of L. It was impossible and impractical.

A. F. of L. Seeks Workable Settlement

"We fully appreciate the need for unity in the labor movement. We regard unity and solidarity as labor's chief asset. We are willing and anxious to bring about a settlement on a workable basis, just as we did when the conferences were held. Any time the C. I. O. is willing to open negotiations, we will be willing to do so."

A. F. OF L. URGES VOTE ON ANTI-LYNCHING BILL

(Continued from Page 1)

ment of legislation of the most drastic character for this purpose."

The Council reported to the convention that the bill (H. R. 1507) which passed the House of Representatives during the first session of the Seventy-Fifth Congress and was made unfinished business for the second session, "provides that any officer who conspires with any member of a mob to injure or put such prisoners to death without authority of the law shall be likewise guilty of felony," with punishment fixed at imprisonment ranging from five to twenty-five years.

Provisions of Senate Bill

The Senate, however, submitted an entirely new bill providing that a State shall be deemed to have denied to any victim or victims of lynching equal protection or due process of law whenever that State or legally competent governmental subdivision thereof shall have failed, neglected or refused to employ the lawful means at its disposal for the protection of that person or those persons against lynching or against seizure and abduction followed by lynching.

The Senate text also provides that any assemblage of three or more persons shall constitute a mob, provided, however, that "lynching" shall not be deemed to include violence occurring between members of groups of law breakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident connected with any "labor dispute."

SHOE WORKERS SIGN UP THREE RICHMOND FIRMS

Richmond, Cal. (AFLNS).—Effective co-operation with local unions by the Central Labor Council here is helping to bring practical results for many workers.

This was evidenced at a recent meeting, when it was reported that three out of four concerns that had been asked by the Central Labor Council to come to terms, signed union contracts with the Boot and Shoe Workers' Union. These included the Traverso Shoe Repair Shop, where negotiations had virtually broken down to the point where the Council had voted to place the firm on its "We Don't Patronize" list. That, apparently, was the final straw that broke resistance and a satisfactory union agreement was the result.

High Court Upholds Labor Board Power

(Continued from Page 1)

Board from holding hearings," Justice Brandeis said in the Bethlehem case.

"It clearly appears that the decree (granting an injunction) was the result of an improvident exercise of judicial discretion."

Justice Brandeis devoted most of his decisions to the Bethlehem suit, reiterating these opinions in a shorter one on the Newport News case.

Both decisions are important in giving judicial affirmation to the authority conferred on the Labor Board by the text of the National Labor Relations Act to conduct hearings on charges of unfair labor practices without interference from Federal District Courts.

In his ruling in the Bethlehem case Justice Brandeis held that there was no final order from which an employer could appeal until after the Labor Board issued orders against the employer and that no damage could be shown until that time.

The opinion held further that no enforcement of a labor board order could ensue until the board asked the Circuit Court for a decree of compliance, which would be refused if the company was able to prove illegal damages.

Circuit Courts Have Exclusive Power

Arguing that jurisdiction over National Labor Relations Board hearings rests with the Board and U. S. Circuit Courts of Appeals, Justice Brandeis said:

"The grant of that exclusive power is constitutional because the act provided for appropriate procedure before the board and in the review by the Circuit Court of Appeals an adequate opportunity to secure judicial protection against possible illegal action on the part of the board.

"No power to enforce an order is conferred upon the board. To secure enforcement, the board must apply to a Circuit Court of Appeals for its affirmance. And until the board's order has been affirmed by the appropriate Circuit Court of Appeals no penalty accrues for disobeying it.

"The independent right to apply to a Circuit Court of Appeals to have an order set aside is conferred upon any party aggrieved by the proceeding before the board. The board is even without power to enforce obedience to its subpoena to testify or to produce written evidence. To enforce obedience it must apply to a District Court, and to such application appropriate defense may be made."

Criticizes Appeals Court Action

Critizing the failure of the Circuit Court of Appeals for the First District to set aside the action of the Federal District Court enjoining the Labor Board from holding hearings in the Bethlehem case, Mr Brandeis stated:

"The Court of Appeals should have reversed the decrees for a preliminary injunction It is true that ordinarily the decree of a District Court granting or denying a preliminary injunction will not be disturbed on appeal. But that rule of practice has no application where, as here, there was an insuperable objection to the maintenance of the suit in point of jurisdiction and where it clearly appears that the decree was the result of an improvident exercise of judicial discretion."

Board Has Exclusive Original Jurisdiction

In the Bethlehem Shipbuilding Corporation case, it was charged that the corporation had violated the Labor Act by setting up a company union. A number of employe-officers of this "union" joined in the corporation's action against the Labor Board, with the claim that the employes were satisfied.

Justice Brandeis punctured this argument with the declaration that the opinion expressed by the corporation's employes should not prevent the Labor Board from "exercising the initial jurisdiction conferred upon it by Congress" in the text of the National Labor Relations Act.

It was maintained by the two shipbuilding concerns that their business did not enter into interstate commerce and that therefore the Labor Board was deprived of jurisdiction to make an investigation of the charge of unfair labor practices. The Supreme Court held, however, that this was a question to be settled by the U. S. Circuit Court after the Board had made its findings, and that a U. S. District Court was without statutory power to decide the matter.

PRESIDENT GREEN BARS TRIAL BY MINE WORKERS CONVENTION

(Continued from Page 1)

to my letter of January 18, 1938, and I assume that none will be forthcoming. I therefore give you herewith my answer to your request of January 12, that I appear before the Convention now in session in Washington to defend myself against the charges of the four locals under Section 7 of Article XVIII and against the "cease and desist order" of the International Executive Board above stated.

I.

Provisions of Miners' Constitution Concerning Charges, Trials and Appeals

A. Section 13 of Article XX of the Constitution of the International Union, United Mine Workers of America, provides

> "The Constitution shall be in force and effect from February 6, 1936, and shall remain in full force and effect until amended by a majority vote of the delegates of any International Convention."

Section 1 of Article XII of the Constitution provides that the next International Convention shall be held on the fourth Tuesday in January, 1938. As there is no other method by which the Constitution can be amended, it is therefore clear that the Constitution effective Feb. 6, 1936, was in force on July 13, 1937, on January 13, 1938, and is still in full force and effect.

B. Under Section 7 of Article XVIII of the Constitution under which the charges of the four locals above referred to were filed before the International Executive Board, that Board has jurisdiction only to hold hearings on such charges and thereafter either to do nothing, to dismiss the charges, or to find the accused guilty and thereupon to expel or suspend him. By the same section, it is provided that:

> "An appeal may be taken by the accused from such decision by the International Executive Board to the next International Convention. In all such cases the decision of the International Executive Board shall be effective unless reversed by the next International Convention."

C. On July 23, 1937, the International Executive Board acted on the charges filed by the four locals under Section 7 of Article XVIII. Its action consisted of (a) waiving the jurisdiction to hear the charges which was granted to it under Section 7, and (b) appealing to this Convention to exercise original jurisdiction to hear these charges.

Executive Board Violated Constitution

But nowhere in the Constitution is there any provision permitting the International Executive Board to appeal from its own decision made in respect to charges filed under Section 7 of Article XVIII.

Nowhere in the Constitution is the International Executive Board given jurisdiction to confer on the International Convention original jurisdiction to hear charges filed with the International Executive Board under Section 7 of Article XVIII.

Any such power or jurisdiction in the International Executive Board or in the International Convention could come only through an amendment to the Constitution.

But there is no provision in the Constitution permitting the International Executive Board to amend the Constitution or permitting amendments thereto in any manner other than as specified in Section 13 of Article XX above referred to.

From the above I conclude that:

1. The International Executive Board has taken no action on the charges filed with it under Section 7 of Article XVIII from which I have or could or want to take appeal to the Convention as provided in said Section.

2. The International Executive Board has no power itself to appeal to the Convention from its own action in waiving its jurisdiction to hear the charges under said Section 7.

3. The International Executive Board has no power to amend the Constitution to confer original jurisdiction on the Convention to hear charges filed before the Board under said Section 7.

Convention Has No Power to Assume Jurisdiction

4. The Convention is given no power under the Constitution to assume original jurisdiction to hear charges filed with the International Executive Board under Section 7.

My answer to you therefore is that there is nothing at this time before the Convention for me to appear and defend in respect to charges filed with the Executive Board under Section 7.

In respect to the request that I appear before the Convention to defend myself against the "cease and desist" order of November 18, 1936, you are advised that:

1. Section 2 of Article XVIII of the Constitution of the International Union United Mine Workers of America effective February 6, 1936, and now in effect, provides that any charges against any member other than those specified under Section 7 of Article XVIII must be "first lodged with and prosecuted before the local union of which the alleged offender is a member and the decision of the local union shall close the case as far as that tribunal is concerned."

By this section the decision of the local union is subject to appeal by the accused or his accuser to the next highest tribunal in authority and so on up until a final decision is reached.

Executive Board Has No Constitutional Power to Accuse Union Member Before Convention

2. Nowhere in the Constitution is the International Executive Board given the power to act as the accuser before the Convention of the United Mine Workers of America in respect to conduct by a member.

Nowhere is the International Executive Board given the power to confer on the Convention original jurisdiction to pass on the conduct of a member.

Nowhere in the Constitution is any member required to justify his conduct before the International Executive Board or before the Convention or elsewhere except as specified in Article XVIII.

Nowhere in Article XVIII is there any provision for appearance by a member before anybody other than his local union to justify his conduct, other than those specified in Section 7, Article XVIII above referred.

No reply was made to my request of January 18, 1938, that you specify the charges covering the "cease and desist order" and in the absence thereof there is no charge covered thereby applicable under Section 7 of Article XVIII.

My answer to you therefore is:

There is nothing at this time before the Convention for me to appear and defend in respect to the "cease and desist order" of November 18, 1936.

II.

Support of Mine Workers Constitution Emphasized

Now, through you, to the delegates in Convention assembled and to the several hundred thousand members of the United Mine Workers of America to whom you and they are responsible under the Constitution, I want to speak, as a charter member of Local No. 279, as a member of the United Mine Workers of America from the day, January 25, 1890, when it received its certificate of affiliation from the American Federation of Labor, and as a dues-paying member now and for over forty-five years in good standing.

Obligations of Local Unions and International Officers

You and I agreed by joining our local union to abide by its Constitution and its rules and by the duly adopted action of its governing bodies and officers. Each of our local unions agreed by its charter to adopt a Constitution and rules "as do not conflict with the laws or rulings" of the International Union. If, therefore, the International Executive Board or the International Convention took action authorized under the Constitution of the International, it would follow that

(1) Such action by the International Executive Board or Convention would be binding on each local, yours and mine, and through each local, on each member thereof, you and me, even though such action were contrary to or even overrode any policy, course of conduct or program which each such local, yours and mine, had adopted when separately functioning; and

(2) Any officer of the International, if he carried out the authorized action of the International Executive Board or Convention, would not violate the Constitution or the rules of the local of which he was a member even though such action were contrary to or overrode any policy, course of conduct or program of such local; and

(3) If such officer of the International should refuse to carry out the authorized action of the International Executive Board or Convention on the ground that it was in violation of the Constitution or the rules of his local or that it was contrary to, or overrode any policy, course of conduct or program of his local, such refusal would be in violation:

(a) of his oath as a member of his own local to abide by its constitution which in turn provided that the local will abide by the Constitution of the International Union and all action authorized by it; and

(b) of his oath as an officer of the International Union to carry out all authorized action of the International; and

(4) If the local of which he is a member should object to the action authorized by the International Executive Board its recourse would be by appeal to the Convention as provided in the Constitution of the International; and even if it should object to the action of the Convention, the local would be bound by the majority action of the Convention, and such majority action would be binding with finality on the local no matter how strenuous its objection or unwise the local may consider it to be; and

(5) Any action taken by the local in opposition to the authorized action of the International or to thwart the execution thereof by the officers of the International through pressure on them by virtue of membership in the local, would be outside its jurisdiction and absolutely void as beyond the power granted to the local by its charter contract with the International; not binding on it or on any of its members, whether an officer of the International or not, and to be disregarded by each such member; and

(6) The persistence by the local to coerce its member to disregard, as an officer of the International, the authorized action of the International or the refusal by the local to willingly abide by such authorized action, would

(a) reduce the charter of affiliation with the International to a scrap of paper; and

(b) constitute rebellion against the International; and

(c) render the local unworthy of the respect and confidence which in this United States exists for all who bind themselves together in fraternal association.

Duties of A. F. of L. President

Now consider the situation between the International Union United Mine Workers of America, the American Federation of Labor, and my action as President of the American Federation of Labor:

1. The Certificate of Affiliation from the American Federation of Labor to the United Mine Workers of America of January 25, 1890, provides that the Union would be governed by the Constitution, Rules and Usages of the American Federation of Labor.

Must Carry Out Executive Council's Directions

2. Under the Constitution of the American Federation of Labor, its President must execute all official documents and must carry out the directions of the Executive Council. The Executive Council by proper vote authorized and directed the President to issue a certificate of affiliation to a new union. Such action of the Executive Council was pursuant to its powers under the Constitution of the American Federation of Labor, binding on all affiliated unions unless and until reversed by the Convention of the American Federation of Labor in accordance with the procedure prescribed by said Constitution.

Executive Council's Actions Are Binding on Mine Workers

It is obvious that:

(1) Upon the basis of the above analysis, such action of the Executive Council of the American Federation of Labor not having been reversed by any Convention of the American Federation of Labor is as binding on the International Union United Mine Workers of America, on the International Executive Board of the United Mine Workers of America, on each local of the United Mine Workers of America and on each member of each local as was the action of the International Union above described, and this is so, even though such action of the American Federation of Labor is contrary to, or overrides a policy, course of conduct or program of the International Union, United Mine Workers of America;

Coercion of A. F. of L. President by Miners Board Reduces Contractual Obligations to Scrap of Paper

(2) Any action taken by the International in opposition to the authorized action of the American Federation of Labor or to thwart the execution thereof by any officer of the American Federation of Labor through pressure on him by virtue of his membership in the International would be outside the International's jurisdiction and absolutely void as beyond the power granted the International by its charter contract with the American Federation of Labor; such action would not be binding on the International or on any of its members whether an officer of the American Federation of Labor or not and could be disregarded by each such member; and

(3) The consequences would follow that such action by the International reduces its contractual obligations to a scrap of paper and constitutes rebellion against the orderly procedure of fraternal association.

It is inconceivable to me that, with full knowledge of the facts and with a clear realization of the consequences of your action, you as delegates and you as members to whom the delegates are responsible, would even consider action to coerce one of your members who through your effort was honored to occupy the position of President of the American Federation of Labor; to have him violate his oath as a member of the United Mine Workers of America and as an officer of the American Federation of Labor by refusing to carry out the authorized action of the American Federation of Labor.

Is it not apparent to you therefore that the charges made and pressed against me for my action already taken, and to prevent further action by me in my official capacity as President of the American Federation of Labor pursuant to authorized action of its Executive Council and of its Conventions, are in truth mere attempts by those who are dissatisfied with such action to coerce me to violate my oath as one of your members and as an officer of the American Federation of Labor?

I conclude therefore in respect to the merits of the charges made covering my action as President of the American Federation of Labor with my answer thereto that:

I unqualifiedly and without equivocation most emphatically deny the charges as made and each and every one of them.

III.

Miners' Officers Contributed $2,000,000 of Union Funds to C. I. O.

Fellow members and delegates: May I now direct your attention to a matter: so serious that it threatens the solvency of the International; so reckless that it challenges our sense of integrity; so destructive of the welfare of our members that it defies warrant; and so reflective of sinister color as to discredit in the court of public opinion the entire labor movement of America.

The Auditors' Semi-Annual Report of the United Mine Workers of America for the period June 1, 1937, to December 1, 1937, just released and before you, reveals the startling disclosures that the executive officers of the International spent in that period for the benefit of the C. I. O. and its subdivisions, $1,414,000. Of this amount $1,224,000 is labeled as LOANS.

These expenditures exceeded by $115,000 the entire amount of taxes collected by the International and resulted in a deficit of $850,000 for the six months' period after giving effect to all taxes and assessments collected and to the expense paid for the same period. In other words, to effect these so-called LOANS it was necessary for our International officers to dip into the accumulated funds of previous periods and to deplete our reserves by almost a million dollars.

But that is not all. From previous reports it appears that to June 1, 1937, our International officers made expenditures labeled as LOANS to the C. I. O. and to its subdivisions in excess of another million, making a total of expenditures labeled LOANS to the C. I. O. and its subdivisions in the last two years of more than $2,000,000. Two million dollars represents a very substantial portion of the entire resources of the International.

Authority of Union Officials to Finance C. I. O. Challenged

Is it not of vital import to each of you delegates to inquire of the International Executive Board and of our International officers submitting this report to you so that you may each be able to answer intelligently to your fellow members to whom you are responsible, the following:

1. By what authority have the Executive Board and the International officers made these expenditures in these amounts for the C. I. O. and its subdivisions?

2. In what respects are these expenditures LOANS and not GIFTS? If LOANS, to whom were they made, what is the responsibility of the borrowers, and what are the terms of re-payment?

Cites Dubinsky and Murray to Puncture Lewis's Claim of 4,000,000 C. I. O. Members

3. For what purpose were these expenditures made? We were told by our International President that he was undertaking the leadership of the C. I. O. to help the cause of industrial unionism so as to make possible organization for the millions in the mass industries who, he represented to us, were clamoring for organization.

If the expenditure of these millions were for this cause and to this end, let him tell us whether he is deceiving you at this Convention when he advises you of the membership of 4,000,000 in the C. I. O., or whether his associate in the C. I. O., Mr. David Dubinsky, President of the International Ladies' Garment Workers and also a contributor to the C. I. O. was deceiving himself when within the last ten days Mr. Dubinsky publicly and without contradiction by our International President or by anyone else proclaimed:

"Let me tell you I have made an analysis of the membership of the various international unions affiliated with the C. I. O. and without stating totals, I say definitely and none can successfully refute this: The 10 or 12 original C. I. O. unions represent 75 per cent of its membership today, while the other 20 or 22 unions represent between 20 and 25 per cent of the membership, and I am an expert on figures."

And let our International President tell us whether our Vice-President Philip Murray was deceiving himself when at the recent peace conference in Washington he publicly and without contradiction by our International President or by anyone else proclaimed that the original C. I. O. unions represent not over 1,500,000 members.

And if our Vice-President Murray and Mr. Dubinsky are not deceiving themselves, then is it not apparent that you are being deceived by our International President through inflated misrepresentations into believing that your expenditures when made for the C. I. O. are accomplishing the intended results and not resulting in failure?

Lewis Smashed Peace Conference

And have you and all the members of the United Mine Workers of America whose moneys are being used by our International officers, given thought that if you are being deceived by them on the essential facts justifying their expenditures, perhaps their representations to you on the essentials which are keeping you from reuniting with the American Federation of Labor are also false?

For is it not ominous that our International President does not contradict or challenge the public proclamations of Mr. Dubinsky, who himself was a C. I. O. peace conferee, that the peace conferees of the American Federation of Labor offered to take back the original C. I. O. unions but only after the merger of the twenty-two unions chartered by the C. I. O. had been satisfactorily arranged, and not before?

And in the light of the negligible increase in membership of the C. I. O. under the leadership of our International President despite the cost of millions, is this not a fair inquiry to make:

Was not the veto exercised by our International President over the agreement of the C. I. O. conferees at the Washington peace conference to accept the formula for peace therein arranged; was not the deliberate misrepresentation made to you by him as to the membership of the C. I. O. and his empty challenge to have these 4,000,000 members ride into the American Federation of Labor if only they were taken in without challenge; were not these actions on his part simply a smoke screen to hide from you the failure of his leadership, to ward off the day of reckoning for his reckless squandering of your money?

I leave the inquiry with you and with him.

Miners Union Is Just "Passing the Buck" In His "Trial," Says President Green

(Continued on Page 2)

started a year or more ago. First, they issued an injunction against me to cease and desist from certain things.

"Then, when I was busy presiding over the Tampa convention they summoned me to meet their executive board.

"Then a year passed, and they decided to present the matter to the convention. Now they decide to pass it back to the board. They are just passing the buck. In my judgment the public may decide what it thinks about this situation.

"The charge of cowardice and treason rests on this basis: I am called a coward because I faithfully executed the orders of the Executive Council and of A. F. of L. conventions, because I was the instrumentality through which the executive council had its orders carried out."

Mr. Green denied the charge that he had "conspired" with the Progressive Miners of America to have that union apply for a charter in the A. F. of L.

A. F. of L. Unions Urged by Green To Leave Lewis's Labor League

(Continued from Page 1)

rience and found eminently successful in achieving progress for labor.

League Opposed A. F. of L. Wage and Hour Bill

"When the American Federation of Labor came out in opposition to the hodgepodge Wage and Hours Bill, with its myriad, ill-considered amendments, with its inequitable differentials, with its dangerous delegation of sweeping powers to a single administrator, the league started a militant campaign for that bill.

"When the American Federation of Labor put forward a model wage and hour bill providing equal and fair treatment for workers in oppressed industries in every section of the country, the league exerted all the pressure at its command to induce members of the House of Representatives to defeat that bill.

C. I. O. Leaders Use League For Personal Political Ambitions

"Careful investigation of the record of labor's Non-Partisan League leads to these inevitable conclusions:

"1. The league is nothing more than a C. I. O. agency, a ventriloquist's dummy for the C. I. O. leaders. When the league speaks, it is with the voice of the C. I. O. leaders. When it acts, it is the C. I. O. leaders who pull the strings.

"2. It is opposed to the best interests of American labor, and therefore should be opposed by the American Federation of Labor.

"3. It is devoted chiefly to promoting the personal political ambitions of C. I. O. leaders.

A. F. of L. Units Urged to Quit League

"Therefore, I recommend:

"1. That all State federations of labor, city central bodies and local organizations affiliated with the American Federation of Labor be directed to withdraw from association with Labor's Non-Partisan League.

"2. That all organizations affiliated with the American Federation of Labor and their individual members are urged to cease contributing to the financial support of Labor's Non-Partisan League.

"3. That coordinated efforts be undertaken by the officers of the American Federation of Labor and all its affiliated bodies to examine carefully into the qualifications of all candidates for public office nominated or indorsed by Labor's Non-Partisan League and any of its subsidiary groups to the end that effective opposition may be marshaled against any of such candidates found lacking the proper qualifications for public office."

HATTERS AND CAP MAKERS UNION SIGNS 2-YEAR PACT

Agreement Negotiated in New York Covers 22,000 Workers and 800 Employers.

New York, N. Y. (AFLNS).—A notable-two-year agreement, covering 22,000 workers and 800 employers, was signed here by representatives of the United Hatters, Cap and Millinery Workers' International Union and the Eastern Women's Headwear Association. It resulted from prolonged negotiations presided over by Max Meyer, a member of the State Mediation Board

While the agreement provides for the retention of existing wage and hour schedules and working conditions contained in the old agreement which expired January 1, an important change prescribes more rigid provisions for greater responsibility both by employers and employes in the enforcement of the contract and the stabilization of the industry.

The executive boards of the locals of the union directly concerned ratified the agreement, with prompt ratification by the rank and file expected to follow at a mass meeting.

It was explained that while the agreement is between the union and the Eastern Women's Headwear Association, the 800 individual employers will be required to sign contracts.

Dr. Paul Abelson declined to continue to serve as impartial chairman of the industry. A joint committee of the union and the employers association selected Isaac Siegmeister, an attorney, to take Dr. Abelson's place.

Russian Unions Hi By A. F. L. Council

(Continued from Page 1)

can Federation of Labor is glad to learn that the plan of admitting the so-called unions of Soviet Russia to the International Federation of Trade Unions has been disapproved by the executive committee of the International Federation of Trade Unions at least for the time being.

"It appears, however, that the rejection of the project at this time has not been based upon the principle which is involved but only upon certain conditions which the Russian organizations had attached to the proposal. We, therefore, feel it our duty to declare ourselves unequivocally against the proposal.

Russian Unions Do Not Have Real Freedom

"Sufficient ground for our objection is found in the fact that the Russian organizations in question are not trade unions in the sense that term bears in every democratic country and which it has always and everywhere borne until the rise of dictatorships since the World War. They have no more freedom of action than have the official organizations commonly known as 'Labor Fronts' in Italy, Germany, and Austria. Like these, they are in effect only a part of the administrative machinery of the dictatorial regime.

"Free trade unions and governmentally controlled 'labor fronts' are as incompatible as are democracy and dictatorship in the State. The attempt to combine them in one world federation can result only in confusion, internal strife and disaster. The American Federation of Labor will take no part in such a suicidal venture.

A. F. of L. Is Committed to Free Trade Unionism

"Organized labor in the United States is firmly committed to the maintenance of free trade unionism as well as of freedom on the political field. It has already suffered too much at the hands of advocates or agents of the dictatorships to be blind to the danger involved in any compromise with them.

"Should the Russian organizations become a part of the International Federation of Trade Unions we have no doubt that the American Federation of Labor will feel compelled to withdraw. It would deeply regret such a breaking of the bonds that connect it with trade unionism beyond the sea. We earnestly hope that the occasion will not rise."

SENATE PASSES HOUSING BILL

(Continued from Page 1)

the prevailing wage amendment, according to their leaders, was that they believed the amendment would wreck the purpose of the bill by creating a hazard for mortgagees in a situation over which they would have no control—the payment of wages by contractors.

It was argued that since the penalty for non-payment of prevailing wages would have been the refusal of the Government to guarantee the housing mortgages, therefore lending concerns would boycott finance operations under the bill and thus nullify its value.

Senator Wheeler Speaks For Labor

Senator Burton K. Wheeler of Montona, speaking for the group of Senators which backed organized labor in its demand that the prevailing wage amendment should be retained, stated the truth when he said:

"Every one knows that if this bill is passed without the prevailing wage provision a drive will be made on the part of those who loan this money to drive down wages. All labor people realize this perfectly well."

Proponents of the measure claimed that it was designed to spur construction of housing for 600,000 to 800,000 families annually for several years. They believe this will be done in the three ways set forth in the measure for liberalizing the National Housing Act—increasing the percentage of government guarantee on mortgages for very small homes, enlarging the scope of operations to include very large units, and further limiting permitted premium rates.

Provisions of the Bill

The bill authorizes the establishment of national mortgage associations to underwrite housing mortgages made by private lending agencies, which may issue debentures to a limit of twenty times their capitalization. Such underwriting is authorized to a maximum of $2,000,000,000, and the President is permitted to extend this limit to $3,000,000,000.

The associations may guarantee mortgages on homes valued under $10,000 up to 90 per cent of the first $6,000 and 80 per cent of the balance.

All other housing mortgages within the limits of the bill are eligible for guarantees of 80 per cent of the value of the property.

All mortgages must bear interest of 5 per cent plus annual premiums, which are ¼ of 1 per cent on houses costing less than $6,000, and may vary from ½ of 1 per cent to 1 per cent on more expensive construction.

These premium payments will be payable on the diminishing balance of mortgages instead of face value, as at present, and this benefit will be extended to mortgages written under the present Housing Act.

The bill also provides for revival of loans for modernization and repairs, a section of the original housing bill that has expired.

In the field of heavy construction, where the Federal Housing Administration announces $50,000,000 worth of work is awaiting completion of the new act, the mortgage associations may insure mortgages on private ventures to a value of $200,000 and on housing projects promoted by limited dividend corporations to a maximum of $5,000,000 value per unit.

METAL POLISHERS UNION NAMED BARGAINING AGENT

Dayton, Ky. (AFLNS).—The long fight of the local union of Metal Polishers, Buffers, Platers and Helpers' International Union, for recognition by the Wadsworth Watch Case Company here has been won.

The National Labor Relations Board, has designated the A. F. of L. union as the collective bargaining representative for the firm's metal polishers, buffers, platers, holdermen, cleaners and inspectors.

Full Support For "Proper" Profit System Is Pledged By A. F. of L.

(Continued from Page 1)

the Union Labels of the American Federation of Labor and of its affiliated national and international unions, plainly imprinted upon thousands of products in various fields, proving that the particular articles were produced under ideal conditions by fairly paid workers who feel a just pride in their craftsmanship.

"Naturally, the American Federation of Labor is aware that every-day purchases among the public, are only remotely conscious of which brands of the products on the market do carry the union label. That is why the American Federation of Labor now announces a momentous national educational campaign never before attempted.

Big Label Exhibition Planned for Cincinnati

"On May 16th and continuing through May 21st, 1938, in the famous Music Hall at Cincinnati, Ohio, the American Federation of Labor and its 104 national and international unions, with its four million members, under the sponsorship of its Union Label Trades Department, will hold a National Exhibition of products and services that are made by or serviced by American Federation of Labor unions.

Backed by Millions of Union Members

"To this Exhibition will come representatives of the union labor minded and union label conscious market of all America, in the form of delegates from the American Federation of Women's Auxiliaries of Labor, a mighty army of two million wives and sisters and friends of members of the American Federation of Labor, and American Federation of Labor delegates from 104 National and International Unions, more than 800 Central Labor Unions, 832 Department Councils, 33,000 local unions, 200,000 members of cooperating railroad unions and more than a million cooperating organized farmers, as well as the four million members of the American Federation of Labor Unions.

Also will come direct representatives in the form of some of the four million union workers themselves, from the union marke tthat spends more than six billion dollars in union-earned money per year for living needs.

Monopoly of Trade Unionists' Buying Power Planned for Those Who Employ Union Members

"The American Federation of Labor is going into the merchandising business. We propose to leave no stone unturned in delivering the union market to the worthy American manufacturers who employ members of unions affiliated with the American Federation of Labor. We expect to educate the general public to the point where it can and will easily identify and purchase those union labeled brands of products and will use those certain union conducted services. By cooperating with the American Federation of Labor and those employers who use the Union Label the public can bring prosperity to and maintain prosperity in our Nation.

"We are confident that education will do the job. The American Federation of Labor Union Label and Industrial Exhibition proposes in its gigantic plan to start directly toward its worthy and patriotic goal at Cincinnati in May.

"The American Federation of Labor is consecrated to the preservation of the American system—by the logical method of correcting, by this sound American method, the only thing now in error with the greatest civilization on earth, the mere unbalance between American purchasing power against American production."

LEWIS'S "PEACE" TERMS ARE REJECTED BY GREEN

(Continued from Page 1)

A. F. of L. into its very midst. The same objections prevail now."

Dubinsky Exploded C. I. O. Membership Canard

Pointing out that the A. F. of L. believed that peace would ultimately develop from the position taken by David Dubinsky, president of the International Ladies Garment Workers Union, a C. I. O. affiliate, who claimed that the peace conference in Washington had reached satisfactory peace terms when John L. Lewis smashed the terms and broke up the conference, Mr. Green added:

"Mr. Dubinsky made the situation plain. Mr. Dubinsky also exploded the C. I. O. claim of 4,000,000 members by saying that 75 per cent of its membership was in the old A. F. of L. unions. That is not our statement, but Mr. Dubinsky's."

A. F. of L. Terms Outlined

Regarding the A. F. of L. proposal that the ten suspended C. I. O. unions return to the Federation and that committees work out terms for unions which claimed the same jurisdiction, Mr. Green stated:

"To avoid the charge that we wanted the suspended unions to desert the others, we agreed that they were to remain outside pending the outcome of the conferences and then, when a settlement was reached, all would come back into the Federation. That was accepted and agreed to by both committees and vetoed later by Mr. Lewis.

Lewis's Plan Held Impossible

"Mr. Lewis, in the subcommittee meetings, proposed that all the C. I. O. unions march in together into the A. F. of L. without the preliminary conferences and then make their settlements after they came in, with the stipulation that the Federation charter all the C. I. O. unions.

"That would have transferred the jurisdictional fight inside the A. F. of L. It was impossible and impractical.

A. F. of L. Seeks Workable Settlement

"We fully appreciate the need for unity in the labor movement. We regard unity and solidarity as labor's chief asset. We are willing and anxious to bring about a settlement on a workable basis, just as we did when the conferences were held. Any time the C. I. O. is willing to open negotiations, we will be willing to do so."

A. F. OF L. URGES VOTE ON ANTI-LYNCHING BILL

(Continued from Page 1)

ment of legislation of the most drastic character for this purpose."

The Council reported to the convention that the bill (H. R. 1507) which passed the House of Representatives during the first session of the Seventy-Fifth Congress and was made unfinished business for the second session, "provides that any officer who conspires with any member of a mob to injure or put such prisoners to death without authority of the law shall be likewise guilty of felony," with punishment fixed at imprisonment ranging from five to twenty-five years.

Provisions of Senate Bill

The Senate, however, submitted an entirely new bill providing that a State shall be deemed to have denied to any victim or victims of lynching equal protection or due process of law whenever that State or legally competent governmental subdivision thereof shall have failed, neglected or refused to employ the lawful means at its disposal for the protection of that person or those persons against lynching or against seizure and abduction followed by lynching.

The Senate text also provides that any assemblage of three or more persons shall constitute a mob, provided, however, that "lynching" shall not be deemed to include violence occurring between members of groups of law breakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident connected with any "labor dispute."

SHOE WORKERS SIGN UP THREE RICHMOND FIRMS

Richmond, Cal. (AFLNS).—Effective co-operation with local unions by the Central Labor Council here is helping to bring practical results for many workers.

This was evidenced at a recent meeting, when it was reported that three out of four concerns that had been asked by the Central Labor Council to come to terms, signed union contracts with the Boot and Shoe Workers' Union. These included the Traverso Shoe Repair Shop, where negotiations had virtually broken down to the point where the Council had voted to place the firm on its "We Don't Patronize" list. That, apparently, was the final straw that broke resistance and a satisfactory union agreement was the result.

High Court Upholds Labor Board Power

(Continued from Page 1)

Board from holding hearings," Justice Brandeis said in the Bethlehem case.

"It clearly appears that the decree (granting an injunction) was the result of an improvident exercise of judicial discretion."

Justice Brandeis devoted most of his decisions to the Bethlehem suit, reiterating these opinions in a shorter one on the Newport News case.

Both decisions are important in giving judicial affirmation to the authority conferred on the Labor Board by the text of the National Labor Relations Act to conduct hearings on charges of unfair labor practices without interference from Federal District Courts.

In his ruling in the Bethlehem case Justice Brandeis held that there was no final order from which an employer could appeal until after the Labor Board issued orders against the employer and that no damage could be shown until that time.

The opinion held further that no enforcement of a labor board order could ensue until the board asked the Circuit Court for a decree of compliance, which would be refused if the company was able to prove illegal damages.

Circuit Courts Have Exclusive Power

Arguing that jurisdiction over National Labor Relations Board hearings rests with the Board and U. S. Circuit Courts of Appeals, Justice Brandeis said:

"The grant of that exclusive power is constitutional because the act provided for appropriate procedure before the board and in the review by the Circuit Court of Appeals an adequate opportunity to secure judicial protection against possible illegal action on the part of the board.

"No power to enforce an order is conferred upon the board. To secure enforcement, the board must apply to a Circuit Court of Appeals for its affirmance. And until the board's order has been affirmed by the appropriate Circuit Court of Appeals no penalty accrues for disobeying it.

"The independent right to apply to a Circuit Court of Appeals to have an order set aside is conferred upon any party aggrieved by the proceeding before the board. The board is even without power to enforce obedience to its subpoena to testify or to produce written evidence. To enforce obedience it must apply to a District Court, and to such application appropriate defense may be made."

Criticizes Appeals Court Action

Critizing the failure of the Circuit Court of Appeals for the First District to set aside the action of the Federal District Court enjoining the Labor Board from holding hearings in the Bethlehem case, Mr Brandeis stated:

"The Court of Appeals should have reversed the decrees for a preliminary injunction It is true that ordinarily the decree of a District Court granting or denying a preliminary injunction will not be disturbed on appeal. But that rule of practice has no application where, as here, there was an insuperable objection to the maintenance of the suit in point of jurisdiction and where it clearly appears that the decree was the result of an improvident exercise of judicial discretion."

Board Has Exclusive Original Jurisdiction

In the Bethlehem Shipbuilding Corporation case, it was charged that the corporation had violated the Labor Act by setting up a company union. A number of employe-officers of this "union" joined in the corporation's action against the Labor Board, with the claim that the employes were satisfied.

Justice Brandeis punctured this argument with the declaration that the opinion expressed by the corporation's employes should not prevent the Labor Board from "exercising the initial jurisdiction conferred upon it by Congress" in the text of the National Labor Relations Act.

It was maintained by the two shipbuilding concerns that their business did not enter into interstate commerce and that therefore the Labor Board was deprived of jurisdiction to make an investigation of the charge of unfair labor practices. The Supreme Court held, however, that this was a question to be settled by the U. S. Circuit Court after the Board had made its findings, and that a U. S. District Court was without statutory power to decide the matter.